

6-13-01

A

FISH & RICHARDSON P.C.

4350 La Jolla Village Drive
Suite 500
San Diego, California
92122

Telephone
858 678-5070

Facsimile
858 678-5099

Web Site
www.fr.com

June 11, 2001

Attorney Docket No.: 07898-071001

Box Patent Application

Commissioner for Patents
Washington, DC 20231

Presented for filing is a new continuation-in-part patent application of:

Applicant: TOSHIAKI ITO, KENJI YAMAMOTO, TOSHIMASA WATANABE
AND NORIKO YURINO

Title: BIOCHIP AND METHOD FOR PRODUCING THE SAME

Enclosed are the following papers, including those required to receive a filing date
under 37 CFR §1.53(b):

| | Pages |
|---------------|-------------------------------|
| Specification | 13 |
| Claims | 1 |
| Abstract | 1 |
| Declaration | [To be Filed at a Later Date] |
| Drawing(s) | 6 |

Enclosures:

- Information Disclosure Statement, 2 pages.
- Copies of Form PTO-892, 2 pages and Form PTO-1449, 2 pages, listing documents cited in the parent application. Please confirm that these have been considered in this application by returning a copy of the newly submitted Form PTO-1449 with the examiner's initials.
- Newly submitted PTO1449, 2 pages.
- Postcard.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No — EL558601965US —

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Gildardo Vargas

Typed or Printed Name of Person Signing Certificate

06/11/01
JCS25 U.S. PRO
Frederick P. Fish
1855-1930
W.K. Richardson
1859-1951



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

J1040 U.S. PTO
09/879797
06/11/01

FISH & RICHARDSON P.C.

Commissioner for Patents
June 11, 2001
Page 2

This application is a continuation-in-part (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 09/451,666, filed November 30, 1999. The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

| | |
|--|-------|
| Basic filing fee | \$710 |
| Total claims in excess of 20 times \$18 | \$0 |
| Independent claims in excess of 3 times \$80 | \$0 |
| Fee for multiple dependent claims | \$0 |
| Total filing fee: | \$710 |

Under 37 CFR §1.53(f), no filing fee is being paid at this time.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

MI K. KIM
Fish & Richardson P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, CA 92122

Respectfully submitted,



Mi K. Kim
Reg. No. 44,830
Enclosures

MKK/lmb
10115375.doc

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Ito, et al.

Title

BIOCHIP AND METHOD FOR PRODUCING
THE SAME

Atty Docket Number

07898-071001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date

6/11/01

Signature



Mi K. Kim

44,830

Typed or printed name

This request must be signed in compliance with 38 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to completed this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

PTO/SB/35 (11-00)